

Application No.: 10/539,667  
Amendment Dated: August 19, 2008  
Reply to Office Action of: May 19, 2008

MAT-8703US

**Remarks/Arguments:**

Claims 1-31 are pending and stand rejected.

By this Amendment, claims 1-2, 8-9, 11, 13, 15, 18-19, 26, and 28-31 are amended, and new claim 32 is added. No new matter is presented by the claim amendments and new claim. Support for the claim amendments and new claim can be found throughout the original specification and, for example, in the original specification at original claim 9 and page 17, lines 20-24 and page 32, lines 15-18.

**Rejection of Claims 1-13, 15-28 and 31 Under 35 U.S.C. § 103(a)**

In the Office Action, at page 2, claims 1-13, 15-28 and 31 are rejected under 35 U.S.C. § 103(a) as unpatentable over Shigehashi (JP 2003/046539) in view of Kuo (U.S. Patent No. 7,209,435).

Reconsideration is respectfully requested.

Claim 1 is directed to an inner-router adjustment method, and recites:

... requesting router status information of router devices  
belonging to a common sub-network ...

deciding a first router device ... that is operational ...

notifying the plurality of router devices belonging to the  
common sub-network that the first router device is  
operational.

**Shigehashi Reference**

Shigehashi is concerned with the switching of router devices based on, for example, a CPU activity ratio. In Shigehashi, a hello packet is exchanged between the routers to check whether each router is in the normal state. The priority of the router that sends the hello packet is included in the hello packet. Each router compares this priority with its own priority to determine which router is the active router (the master

router) that should process the packets. Shigehashi discloses that the router with the highest priority is automatically (i.e., autonomously) set as the active router, while the other routers are used as standby routers (backup routers). (See Shigehashi at paragraph [0005].) Thus, Shigehashi does not disclose or suggest "notifying the plurality of router devices belonging to the common sub-network that the first router is operational," are required by claim 1. That is, Shigehashi does not teach the use of a control device which receives router status information from routers in the common sub-network and decides the active router (i.e., the router with an operational status) and notifies the routers on the common sub-network of the active router.

#### **Kuo Reference**

Kuo is directed to a system and method for providing network route redundancy. Kuo discloses the use of VSRP hello packets which include the priority of respective switches to set which VSRP switch 304/306 is the master switch. (See Kuo at col. 7, lines 52-67.) In Kuo, the VSRP switch uses a tracking value to modify the priority value with regard to fluctuating quality of its connection to the outside network. In addition to the priority value, other data may be broadcast as part of the hello packet. Once the virtual switch has reached a stable configuration, the VSRP master switch sets its port to forwarding and continues to send out hello packets. Kuo further discloses that VSRP backup switches set their ports to blocking and receive hello messages to determine if they should remain in backup mode or transition to master mode. The connected VSRP switches 508, 510 and 512 receive the hello packets 514 and 516. Each VSRP aware switch 508, 510 and 512 floods the hello packets upon receipt. These hello packets are received by other VSRP switches 504 and 506 in the virtual switch 502. (See Kuo at col. 9, line 61 to col. 10, line 19). That is, Kuo is silent regarding "... requesting router status information of router devices

belonging to a common sub-network ... deciding a first router device ... that is operational ... and notifying the plurality of router devices belonging to the common sub-network that the first router device is operational," as required by claim 1. This is because, for example, Kuo does not include a control device that provides notification to the plurality of router devices belonging to the common sub-network that the first router device is operational. Instead, the VSRP aware switches 508, 510 and 512 merely retransmit the hello packets upon receipt but do not decide which router device is operational and notify other router devices as to the router device that is operational.

Accordingly, it is submitted claim 1 patentably distinguishes over Shigehashi in view of Kuo for at least the above-mentioned reasons.

**Claims 2, 8, 9, 15 and 19**

Claims 2, 8, 9, 15 and 19, which include similar but not identical features to those of claim 1, are submitted to patentably distinguish over Shigehashi in view of Kuo for at least similar reasons to those of claim 1.

**Claims 3-7, 10-13, 16-18, 20-28 and 31**

Claims 3-7, 10-13, 16-18, 20-28 and 31, which include all of the limitations of claims 1, 2, 8, 9 or 15, are submitted to patentably distinguish over Shigehashi in view of Kuo for at least the same reasons as their respective independent claims.

**Rejection of Claims 14 and 29-30 Under 35 U.S.C. § 103(a)**

In the Office Action, at page 10, claims 14 and 29-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shigehashi in view of Kuo and in further view of Odaohhara (U.S. Patent Publication No. 2002/0144160).

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Reconsideration is respectfully requested.

Claims 14 and 29-30, which includes all of the limitations of claims 8 or 9 are submitted to patentably distinguish over Shigehashi in view of Kuo for at least the same reasons as their respective independent claims.

The addition of Odaohhara does not overcome the deficiencies Shigehashi in view of Kuo. This is because, Odaohhara does not disclose or suggest "a router information gathering section for gathering router status information ... a priority calculating section for calculating priorities to decide whether a respective router device ... is to have an operational status ... and a priority notifying section for notifying the plurality of router devices ... that the first router device is operational," as required by claim 8 and similarly by claim 9. This is because, Odaohhara is not concerned with router devices or whether such router devices are operational.

Accordingly, it is submitted that claims 14 and 29-30 patentably distinguish over Shigehashi in view of Kuo in further view of Odaohhara for at least the above-mentioned reasons.

#### **New Claim 32**

New claim 32 is directed to an inner-router adjustment method and recites:

... the calculated priority for each of the remaining router devices belonging to the common sub-network is based on a weighting of at least line status information and a remaining battery capacity associated with a respective remaining router device ...

(emphasis added). It is submitted that the cited art does not disclose or suggest, for example, the weighting feature recited in claim 31.

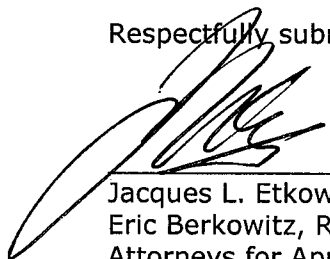
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**Conclusion**

In view of the claim amendments, new claim and remarks, Applicants submit the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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